Sectt. H-27—45,906—19-10-39.

Revenue (1940) Department.

SERIES.

G.O. No. Ms. 1095

1095

Dated 30-4-1940

[Despatch Abstract.]

LAND - (South Kanara) -- Mangalore Taluk and Town -- Derebail village -- S.Nos. 25 and 126 -- Alienated to the Municipal Council, Mangalore -- Trenching and dumping grounds -- Permission to lease for cultivation -- Granted.

DEPARTMENT.

Received 8 OCT 1939 LOCAL ADMINISTRATION DEPT.

Registered 33667.

Subject.

MUNICIPAL TRENCHING GROUND - Lease of Pine apple Farm for 3 years - Permission Requested.

******

Enclosures.

are copies

Ref.C.No. 1486/A4/39

Station MANGALORE, Dated the 4th October 1939.

From (Name) Sri M. Narayana Shenoy, B.A.,B.L.,

(Designation) Commissioner, Mangalore Municipality, MANGALORE.

To The Secretary to the Government of Madras,

LOCAL ADMINISTRATION Department.
FORT ST. GEORGE, MADRAS.

THROUGH:

Sir,

The Chairman,
Municipal Council, Mangalore.

In their Memo No.1062-F36-3 dated 11.5.1936, Government have permitted the Council to use a portion of the Municipal Trenching ground at Derebail (S.No.25 and 126 of Derebail Village, Mangalore Taluk, South Kanara District) as a farm for cultivation of pine apples. The Municipal Council in its Resolution No.66 dated 27.3.1939 has resolved to lease out the farm for a period of 3 years from 1.4.1939 as nobody comes forward to take the pine apple farm on lease for one year.

The Collector of South Kanara, who was requested to accord sanction has in his proceedings D.Dis.3305-39 dated

=F9(6)

12.9.1939 refused to grant permission.

The Municipal Council in its Resolution No.7? dated 11.9.1939 resolved to address Government in the matter.

In the circumstances I request Government may be pleased to grant special permission to lease the pine apple farm for period of 3 years. A copy of the Council Resolution is enclosed.

Commissioner, M.M.

F o r w a r d e d.

Mangalore, Dated: 6 - 10 - 1939. Chairman, M. C.

Extract from the proceedings of the Mangalore Municipal Council, dated the 11th September 1939.

72. Read proceedings of the Collector of South Kanara, D.Dis. 3305/39 dated 12.8.1939 refusing to grant permission for leasing out the pine apple farm in the alienated lands in S.Nos.25 and 12 of Derebail village.

Government to be addressed in the matter.

x x x

Sd/-B.Venkatrao Baliga.
Chairman, M.C.

TRUE EXTRACT

Municipal Office, Mangalore,)
Dated the 3rd October 1939.)

Commissioner, M.M.

PST.5.10a

From the Comm. Mangalore
No 1486/39 — dt 4.10.39

Trees - Mangalore Rly.
Lease of pine apple for

Memo. No 33667. 1 Ann
19.10.39.
Referred to
the Collector of South
Kanara for remarks.

ASI

14/3

19/x

14/11

24/1

19/x

19.x.39

Collector of South
Canara
Circle of. in orig. to
be ret'd. with reply

SOUTH KA... COLLECTOR'S ... 24 FEB 1940

L. A. DEPARTMENT.

A2. Section

REMINDER. REPLY.

No. ... To THE Collector of South Kanara

THE Secretary to Govt L.A. Dept.

SECRETARIAT TO GOVERNMENT 26 FEB 1940 LEGAL AFFAIRS DEPT.

I ~~have the honour to invite~~ am directed to invite attention to

... No. 3367-A2 dated 19.10.39 and

~~request that the reply to it may be expedited~~

request that this reminder may be returned at once with information as to—

(1) the stage at which the matter now is,

(2) the date by which a reply may be expected ~~, and~~

~~(3) the circumstances which have caused the delay~~.

Office L. A. Dept., Signature

Station Fort St. George Asst Secy. to Govt.

Dated 21.2.40 Designation

SUBJECT.

Trees - ~~Lease~~ - Mangalore rly - Lease of Pine apple farm

The reference in ques... has resubmitted with H... office D. No. 7338— 27.10

21.2.40

For Collr

9/23/2

24.2.40

C.F. 31—17,006—9-2-37.

LOCAL ADMINISTRATION DEPARTMENT.

CURRENT No.

Received 3-MAR 1940 19 *Registered* 19

Subject.

Alienation - Land - (South Kanara) - Mangalore taluk and town - Derebail village - S.Nos. 25 and 126 - Trenching ground - Municipal Council, Mangalore - Report submitted.

Reference. E. No. 6794/39.1.

Station Madras, *Dated the* 29th February 1940.

From

S. Venkateswaran Esq.,I.C.S.,
Secretary,
Board of Revenue.

S. V. RAMAMURTI ESQ., I.C.S.,
Commissioner of Land Revenue.

Read the following.-

Letter from A.C. Woodhouse Esq., C.I.E., Collector of South anara, D.Dis. 7338-39-B.3 dated 27-10-1939.

ii

Letter from A.C. Woodhouse Esq.,C.I.E., Collector of South anara, Ref. 7184-39-B.3 dated 28-10-1939.

eference.-

Submitted to the Government.

2. The Board submits that under the orders in Government emo No. 1602-F/36.3 Rev., dated 11-5-36, the temporary cultivation of fruits and similar crops (which may be taken to include

gross and other fodder) which will not interfere with the ultimate use of the land for dumping purposes, should not be constructed as a breach of the conditions of alienation. What the Municipal Council now wishes to do, is to arrange for the cultivation 3 years a head and not merely 1 year in advance as contemplated in the Government Memo referred to above and to lease out the land for such cultivation to a contractor. The Board recommends that both these reques may be permitted provided the Municipal Council pays the assessment on the land leased out at Rs.2/- per acre and th proposed cultivation is notified to the Collector and his permission obtained as ordered before. The Board does not consider that the imposition of additional conditions for this form of optional and temporary use is necessary.

for Secretary.

To the Secretary to the Government,
Local Administration Department
with records as per list.

Refce.E. 6794/39.1.

List of Records.

1. Collector's letters dated 27-10-39 and 28-10-39. in original
2. Municipal Commissioner's letters in original
3. A sketch in original.
4. Collector's D.Dis. 2883/39 dated 26-8-39.
5. Collector's D.Dis. 3305/39 dated 12-8-39.
6. B.P.Mis. 666 dated 5-3-15
7. B.P.Mis. 2548 dated 12-8-31.

D.Dis. 7338-39-B3.

South Kanara Collector's Office,

Mangalore, dated 27 - 10 - 1939.

From

A. C. Woodhouse, Esquire, C.I.E.,

Collector of South Kanara.

To

The Secretary to Government,

Local Administration Department,

Madras.

Through

The Board of Revenue,

Land Revenue & Settlement,

Madras.

Sir,

Alienation - land - Mangalore Taluk & Town - Derebail village - S.No. 25 and 126 - Trenching ground - Municipal Council, Mangalore - lease of.

Government Memo No. 33667-1-A2 dated 19-10-39.

The proposal of the Municipal Council, Mangalore to lease out the pine apple farm raised in the alienated land was negatived by my predecessor, as Government Memo No. 1062-F36-3 dated 11-5-36 (Revenue Department) and B.P. Mis. 1702-19-5-36 contemplated the cultivation of the farm by the Municipality itself.

2. The alienation of the trenching grounds were sanctioned in G.O.No. 430 Rev. dated 16-2-1915 (B.P.No.666 Mis. dated 5-3-1915) and B.P. 2046 dated 12-8-31 and the conditions of the alienation were subsequently relaxed in the orders quoted in para 1 above. These conditions may be further relaxed and the lease of the pine apple farm by the Municipal Council may be permitted. But I am of the opinion that the lease amount should be credited to Government. I also think that the lease should be disposed of in auction.

3. The enclosures received with the Government Memo ited above and this office D.Dis. 3305-39 dated 12-8-39 re enclosed.

For Collector.

31.X.39

Ref. 7184-39-B3.

South Kanara Collector's Office,
Mangalore, dated 28 -10 - 1939.

From

A. C. Woodhouse, Esquire, C.I.E.,
Collector of South Kanara.

To

The Secretary to Government,
Revenue Department,
M a d r a s.

Through

The Secretary to the Board,
Land Revenue and Settlement,
M a d r a s.

Sir,

Leases - alienated land - Mangalore Taluk - Derebail village -S.Nos. 25 and 126 - Trenching ground - Municipal Council, Mangalore - permission to lease out - proposal - report.

S.Nos. 25 and 126 of Derebail village, Mangalore Taluk were alienated in favour of the Municipal Council, Mangalore, the for purpose of a trenching ground in G.O.No. 130 Rev. & 16-2-15 and B.P. Mis. 2548 dated 12-8-31. In Government Memo No. 1602-F-36-3 dated 11-5-36 and B.P.Mis. 1702 dated 19-5-36 the Municipality was permitted to raise pineapple cultivation on portions of the alienated land. The proposal of the Municipality to lease out the pineapple farm has been recommended by me subject to certain conditions in my D.Dis. 7338-39-B3 dated 27-10-39 in reply to Government Memo No. 33667-1-A2 dated 19-10-39.

2. This is another proposal of the Municipality to lease out portions of the land marked A, (4 acres in extent)

in the sketch (enclosed) in convenient blocks to the Municipal employees and also to outsiders for growing grass and hemp. his is stated to be an experimental measure and no rent is proposed to be levied for one year. It is explained by the Municipal Council that growing of grass or hemp is part of the process of trenching and a legitimate use of the ground, not amounting to a breach of ----- conditions of the grant. The Commissioner, Mangalore --- Municipality states that the Municipality cannot, itself -- undertake the experiment as the expenditure involved is --- prohibitive and more than the expected income.

3. The permission sought for by the Municipal Council Mangalore may be granted, but I am of opinion that the ---- lease should be disposed of in auction and the lease amoun if any, should be credited to Government.

4. The records of this office D.Dis. 2883-39, dated -- 26th August 1939 and the further requisition of the Municipality (pages 1-4 current file) are enclosed.

Local Administration DEPARTMENT.

In reply, please quote number, date and short title.*

*Received*_____ *Registered*_____

From (Name) Sri M. Narayana Shenoy, B. A., B. L.,
Commissioner, Mangalore Municipality,
(Designation)

Post Box_____, (Station) MANGALORE.

Telegraphic Address _____

SOUTH KANARA COLLECTOR'S OFFICE
19 OCT 1939
No. 7184

To

The Collector of South Kanara,
Mangalore.

Ref:C. *No.*7998-D3/39, *dated* 14th October 19 39.

Sir,

Enclosures____

Spar. Copies____

SUBJECT:- Leases - Mangalore Taluk - Derebail village - S.Nos. 25 and 126 -- Use of the land for growing grass or hemp - Permission requested.

Reference:- Your D.Dis 2883/39, dated the 26th August 1939.

Your above proceedings was placed before the Council in its meeting held on 25th September 1939, and a copy of the Council's resolution is enclosed.

On your suggestion as to why the Municipality itself cannot cultivate the lands instead of leasing them out it is felt that the expenditure to be incurred for cultivating the land by the Municipality ~~(the land by the Municipality)~~ would be prohibitive and more than what the Municipality could expect from the produce.

I therefore request that you will please address Government to grant permission for leasing about 4 acres of land as shown in the sketch forwarded to the Tahsildar along with this office N.Ref.C.No. 7998/D3/38 dated the 18th July 1939 for growing grass or hemp.

p.49

It is proposed to divide the said plot as suggested by the Sanitation Committee of the Council, into convenient plots and lease them out to such of the Municipal employees as are willing to take up the plots and also to outsiders for growing grass or hemp for one year as an experimental measure without payment of any rent. As growing grass or hemp is a part of the process of trenching and is a legitimate use of the ground you will please recommend to Government to grant permission for the said purpose.

Commissioner.

DESPATCHED
17. OCT. 1939

EDU/14-10p

451 1935

Extract from the Proceedings of the Mangalore Municipal Council, dated the 25th September 1939.

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x x

50. Read Collector's proceedings D.Dis.2883/39, dated the 26th August 1939 refusing permission for the council's proposal to lease out the lands No.25 and 126 in Derebail Trenching ground to outsiders for growing grass or hemp as it will be a breach of the conditions of alienation of the land and requesting to be informed before addressing Government in the matter why the council itself cannot cultivate the lands instead of leasing them out.

The Collector will be informed that it is not practicable for the council itself to cultivate the lands T.S.Nos. 25 and 126 of Derebail village as cultivated land will have to be fenced and watched and the costs to the Municipality will be more than what the Municipality will get from the produce.

x x x

Sd/B.Venkatarao Baliga,
Chairman, M. C.

/True Extract/

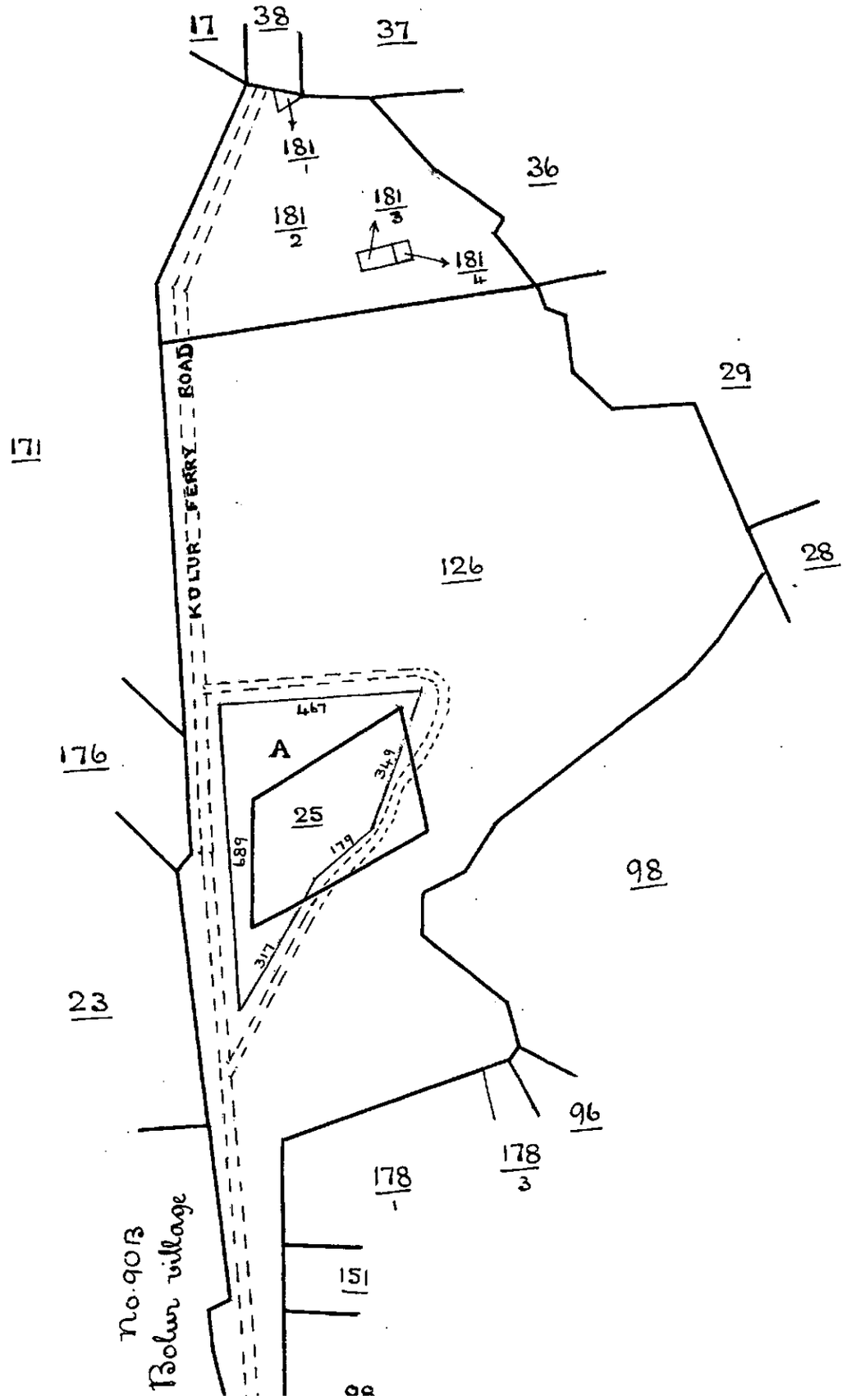
Municipal Office, Mangalore,
Dated the 16th October 1939.

Commissioner, M.M.

HDU/16/10/P

Compd/

~~121~~ # 1 / South Kanara District
Mangalore Taluk.
No. 88 Derebail village
Field nos. 126, 181 & 25
Extent of the plot is 4 acs.
Scale: inch = 5 chains.



L.A.D.

pp 1-2 c | From the Commr. Mangalore City
No 1486/39-G 4.10.39

pp 12-13 c | From the Coll. South Canara
No 7338/39-G 27.10.39

pp 5-10 t
pp 14-15 c | From the Board of Revenue,
No 6794/39-G 29.2.40.

Street - Mangalore City.
Pineapple farm - Lease.

The proposal of the Mangalore M.C. is to lease out the pineapple farm raised on S. Nos 25 & 126 for a period of three years. Please see the remarks of the Collector at pp 12-13 c & the remarks of the Board of Revenue at pp 9-10 c on the proposal. [The remarks of Revenue may first be invited vide on the Board recommendation at A on p 10 c]

15/3 The recommendation of the Bd. of Revenue to permit the CL to lease out the land on payment of assessment

15.3.40
16

Rs 2 per acre subject to satisfy
of cultivation proved to the Collr.
& to obtaining of his permission
Mr. Commrs that the imposn
of said Contit... no payment
for of the lease amount & disposn
of lease ~~...~~ ~~...~~ ~~...~~ ~~...~~
~~...~~ This dept may accept the
recommendations of the Bd. of Rev
with these remarks that if
orders be passed he to refer
Rev dept for ~~further~~ necessary action

Ref

The proposals of the Bd of Rev. may
be accepted. Insistence on the
disposal of the leases in auction
does not seem necessary. grass &
~~Timpodeo~~ hemp are to be grown as an
experimental measure on par with

Rev Dept.

To U.S.

Please see the papers in the C.F. and the notes from p 1 ante.

2. In G.O. No 430 Rev dt 16-2-1915 and B.P. No 2548 dt 12-8-31 about 50 acres and odd of land in S. Nos 126 and 25 of Derebail village, Mangalore Tk were alienated in favour of the Mangalore Municipality for use as the site of trenching and dumping grounds. Subsequently in memo No 1602/36-3 Rev dt 11-5-36 the Mpl Council was permitted to use portion of the land temporarily for the cultivation of fruit and other similar crops subject to certain conditions.

3. The Mpl Council now requests that as it is unable for financial considerations to cultivate the land it may be permitted to lease out to the ~~Municipal employees and others~~ the pine apple farm raised by it on the land and portions of the land marked A in the sketch at p 19 C/F for growing grass & hemp. The Collector of S. Kanara has taken that permission may be granted as he is of opinion that the lease would be disposed of in auction and

(G) pp 28-29 of (G)

(G) pp 17-21 of (Z)

(G) p 4 ante

(1) and (2) on p 17 of (G)

12 and 15 C/F

A

—(recite) to the Govt. The BZ while
recommending the proposal has stated
that the Mpl Council should pay assessment
on the land leased out at Rs 24 per
acre and that the nature and extent of
the cultivation should be notified to the
Collector as directed in memo No 1602 /
The BZ does not see objection to the imposition of the tax
/ 11-5-36 The L. A. Dept have supported
the BZ's recommendation.

For orders whether the recommendation

13
3054 **DRAFT FOR APPROVAL.** C.F. 10.

	Date.	Initials.
When received for fair copying ..		
When copied ..		
When examined ..		
When signed ..		
When despatched.		

SUBJECT :—

READ AGAIN G.O. no 430 Rev, dated 16. 2. 1939 pp 1-3 of (3)

" " " 19

READ *ALSO* :—

C No. 1202 F/40 From the Comm^r, Mangalore Municipality, No. Ref cno 1486/A4/39 dt 4-10-39 pp 1-3 of (1)

" To the Coll^r of S. Kanara Rep^y no 33667-1 A2 dt 19-10-1939 pp 5 of

" From the Bd of Rev. Ref E. no 6794/39-1 dt 29-2-1940 pp 11-13 of

Order Ms. No. 1095, dated 30.4.40

A on p10 of.

pp 7-9 of (1)
pp 17-21 of (3)

p14 & p19 of.

The Govt accept the recommendation of the Bd of Rev. and permit the Mpl Council Mangalore to lease out temporarily (i) the pine apple farm raised in a portion of the land alienated to it in G.O. no 430 Rev dt 16.2.1939 and B.P. no 2548 dt 12-8-1931 and (ii) portions of the same land 4 acres in extent marked A in the sketch submitted by the Bd with its Report read above for growing grass and hemp,

~~The~~ the assessment on the
Lands leased out at Rs 2/-
(Rupees two only) per as
and the extent and nature
of the cultivation ~~is~~ should be notified
to the Collector of the district and
his permission ~~is~~ obtained as
ordered in Memo no 1602 F/36-3 Rev
dt 11-5-36, ~~and provided also~~
~~that the lessee will not in anyway~~
~~interfere with the ultimate use~~
~~of the land for the purposes for~~
~~which it was alienated~~

pp 28-29 of (a)

vide M at p 28 of (a)

as per list at p/1 of
except items 1-2

To the Bd of Rev ✓ with reco
L. A. Dept. ✓
Commr, Bangalore
Municipality/Improvement Ch

27/4

26/4

26/4